



**MUCKLESHOOT INDIAN TRIBE**  
**Fisheries Division**

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June 1, 2004

Ms. Allison Ray  
WSDOT Environmental Coordinator  
AWV Office  
999 Third Ave, Suite 2424  
Seattle, WA 98104

Re: Comments on the SR 99: Alaskan Way Viaduct & Seawall Replacement Project Draft Environmental Impact Statement (FHWA-WA-EIS-04-01-D)

Dear Ms. Ray:

The Muckleshoot Indian Tribe Fisheries Division has had an opportunity to conduct an initial review of the Alaska Way Viaduct & Seawall Replacement Project (AWV) Draft Environmental Impact Statement (DEIS). This project occurs within the Usual and Accustomed Fishing Grounds of the Tribe. Although we will continue to review the information presented in this draft document, we wanted to provide you the following general technical comments at this time.

The Fisheries Division is concerned about the proposal to include an over-water structure between Colman Dock and Pier 48. An over-water structure is proposed in all of the AWV replacement alternatives. The construction of a new over-water structure or the filling of aquatic habitat presents the potential to adversely affect Tribal fisheries in the area as well as further degrade habitat for a variety of fish and other aquatic species. Of particular additional concern is the fact that there does not seem to be a justification for this over-water structure as part of the Alaska Way Viaduct & Seawall Replacement Project. In addition, the DEIS should discuss specific mitigation proposals to compensate for unavoidable impacts. The general statements about the mitigation proposals that are still in development make it impossible to compare and contrast the relative environmental impacts of the different alternatives, even if an over-water structure was justified. For example, the document states that Pier 48 may be removed, but does not state whether it would be part of a mitigation package or not.

Thank you for the opportunity to comment on this DEIS. If you have any additional questions or would like to discuss these comments further, please contact me at (253) 876-3130 or [glen.stamant@muckleshoot.nsn.us](mailto:glen.stamant@muckleshoot.nsn.us).

Sincerely,

Glen R. St. Amant  
Muckleshoot Fisheries Division